

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LILIA MARTINEZ RODRIGUEZ,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

PRISONER HABEAS CORPUS
28 U.S.C. § 2255

CRIMINAL ACTION NO.
1:19-CR-76-LMM-CCB-24

CIVIL ACTION NO.
1:21-CV-5148-LMM-CCB

ORDER

This matter is before the Court on Petitioner’s motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255, Dkt. No. [1081], Petitioner’s request for discovery and an evidentiary hearing, Dkt. No. [1231], and the Magistrate Judge’s Report and Recommendation on the motion and requests, Dkt. No. [1276].¹ No objections have been filed in response to the Magistrate Judge’s Report and Recommendation.


Therefore, in accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the Court has reviewed the Magistrate Judge's

¹ The record citations refer to the case numbers appearing on the criminal docket.

Recommendation for clear error and finds none. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, Dkt. No. [1276], as the opinion of the Court: Petitioner's § 2255 motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255, Dkt. No. [1081], and request for discovery and an evidentiary hearing, Dkt. No. [1231], are **DENIED**, and no certificate of appealability shall issue.²

The Clerk is **DIRECTED** to **CLOSE** this case.

IT IS SO ORDERED this 5th day of January, 2024.


Leigh Martin May
United States District Judge

² Petitioner is advised that she may not appeal the denial of a certificate of appealability but may seek a certificate from the Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure. 28 U.S.C. foll. § 2255, Rule 11(a).